

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

FILED BY 4 D.C.
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DANIELLE WORRELL,

Plaintiff,

vs.

MICHAEL'S STEAKHOUSE
and MIKE DAY,

Defendants.

CIVIL ACTION NO.1-05-1117 TAN

PROPOSED RULE 16(b) SCHEDULING ORDER

Pursuant to the scheduling conference set by written notice, the following dates have been established as the final dates for:

INITIAL DISCLOSURES pursuant to Fed.R.Civ.P. 26(a)(1): **August 13, 2005**

JOINING PARTIES:

For Plaintiff: **August 26, 2005**

For Defendants: **September 23, 2005**

AMENDING PLEADINGS:

For Plaintiff: **August 26, 2005**

For Defendants: **September 23, 2005**

INITIAL MOTIONS TO DISMISS: **September 9, 2005**

COMPLETING ALL DISCOVERY:

a) WRITTEN DISCOVERY: **January 27, 2006**

b) DEPOSITIONS: **February 21, 2006**

c) EXPERT DISCLOSURES (Rule 26)

1) Disclosure Of Plaintiffs' Rule 26 Expert Information: **October 28, 2005**

2) Disclosure Of Defendants' Rule 26 Expert Information: **November 30, 2005**

3) Expert Witness Depositions: **February 21, 2006**

4) Supplementation under Rule 26(e): **December 12, 2005**

FILING DISPOSITIVE MOTIONS: **March 21, 2006**

FINAL LISTS OF WITNESSES AND EXHIBITS (Rule 26(a)(3)):

a) For Plaintiff: **Forty-five (45) days prior to trial**

b) For Defendants: **Thirty (30) days prior to trial**

c) Parties shall have **ten (10) days after service** of opposition's final witness and/or exhibit list to file objections under Rule 26(a)(3)

The trial of this matter is expected to last two (2) days and is set for **NON-JURY TRIAL on June 21, 2006 beginning at 9:30 a.m.** A **joint pre-trial order** is due on **June 9, 2006**. In the event the parties are unable to agree on a joint pre-trial order, the parties must notify the court at least ten days before the trial.

OTHER RELEVANT MATTERS:

Interrogatories, Requests for Production and Requests for Admissions must be submitted to opposing party in sufficient time for the opposing party to respond by the deadline for completion of discovery. For example, if the FRCP allow 30 days for a party to respond, then the discovery must be submitted at least 30 days prior to the deadline for completion of discovery.

Motions to compel discovery are to be filed and served by the discovery deadline or within thirty (30) days of the default or the service of the response, answer, or objection if the default occurs within thirty (30) days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or the objection to the default, response, answer, or objection shall be waived.

The parties are reminded that, pursuant to Local Rule 7(a)(1)(A) and (a)(1)(B), all motions, except motions pursuant to Fed.R.Civ.P. 12, 56, 59, and

60, shall be accompanied by a proposed Order and a Certificate of Consultation.

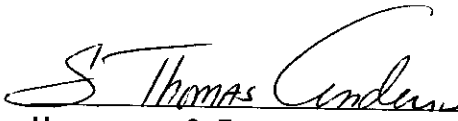
The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it must file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

The parties may consent to a trial before the Magistrate Judge. The magistrate Judge can normally provide the parties with a definite trial date that will not be continued unless a continuance is agreed to by all parties, or an emergency arises which precludes the matter from proceeding to trial.

The parties are encouraged to engage in court-annexed attorney mediation or private mediation on or before the close of discovery.

This Scheduling Order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this Order will not be modified or extended.

IT IS SO ORDERED.



HONORABLE S. THOMAS ANDERSON
UNITED STATES MAGISTRATE JUDGE

DATE: July 20, 2005

APPROVED BY:

By: _____
RICHARD D. BENNETT, BPR #013156
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(901) 854-0777

ATTORNEYS FOR DEFENDANTS
MICHAEL'S STEAKHOUSE AND MIKE DAY

By: _____

Jim Paitzel

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ATTORNEY FOR PLAINTIFF
DANIELLE WORRELL



Notice of Distribution

This notice confirms a copy of the document docketed as number 5 in case 1:05-CV-01117 was distributed by fax, mail, or direct printing on July 22, 2005 to the parties listed.

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Honorable James Todd
US DISTRICT COURT